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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Appl. No.: 09/855,342 Confirmation No.: 8842
Applicant(s): Caligiuri *et al.*
Filed: May 14, 2001
Art Unit: 1642
Examiner: Stephen L. Rawlings
Title: METHODS OF THERAPY FOR CANCERS CHARACTERIZED BY
OVEREXPRESSION OF THE HER2 RECEPTOR PROTEIN

Docket No.: 035784/209112 (5784-50)
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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Responsive to the Notice of Non-Compliant Amendment dated September 29, 2004, in the above-identified application, Applicants provide herewith a resubmission of the "Amendments to the Claims" section that was submitted in the Response to Notice of Non-Compliant Amendment filed July 7, 2004, which addressed all of the non-compliance issues raised by the Examiner in the Notice of Non-Compliant Amendment dated June 8, 2004, and which supplemented the Amendment filed September 15, 2003, in response to the Office Action dated March 14, 2003. The Examiner is respectfully requested to enter these amendments to the claims into the above-identified application.

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 12 of this paper.

RTA01/2166009v1